



Express Mail No.: EV270263260US

PATENTS
BER-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : William Berson
Application No. : 10/824,975 Confirmation No. : 7527
Filed : April 14, 2004
For : LABEL FOR RECEIVING INDICIA HAVING
VARIABLE SPECTRAL EMISSIVITY VALUES
Group Art Unit : 3722
Examiner : Monica S. Carter
Mail Stop Amendment New York, New York 10020
Commissioner for Patents December 13, 2004
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97,
applicant hereby makes the following documents of record
in the above-identified patent application:

US Patent Documents

Martens	3,239,815	03/08/1966
Nugent	3,245,697	04/12/1966
Makishima	3,468,046	09/23/1969
Kikumoto	3,455,577	07/15/1969
Naito	3,477,156	11/11/1969
Travioli	3,536,894	10/27/1970
Kikumoto	3,621,249	11/16/1971
Komiyama	3,640,009	02/08/1972
Scantlin	3,802,101	04/09/1974
Furahashi	3,829,662	08/13/1974
Kilmer Jr. et al.	3,919,447	11/11/1975

12/16/2004 NGUYEN1 00000078 10824975

180.00 DP
03 FC:1806

US Patent Documents

Beck et al.	4,044,231	08/23/1977
Mansukhani	4,210,916	07/01/1980
Peng	4,264,366	04/28/1981
Bianco	4,359,633	11/16/1982
Stein et al.	4,417,822	11/29/1983
Logan et al.	4,521,861	06/04/1985
Karlsson	4,529,633	07/16/1985
Nguyen et al	4,530,961	07/23/1985
Brisk et al.	4,647,774	03/03/1987
Stein	4,647,775	03/03/1987
Stein	4,708,493	11/24/1987
Elleman et al.	4,840,496	06/20/1989
Schwarz	4,840,674	06/20/1989
Miller	4,889,367	12/26/1989
Stake et al	4,910,185	03/20/1990
Nulman et al.	4,919,542	04/24/1990
Elder et al.	5,155,080	10/13/1992
Schietinger et al.	5,166,080	11/24/1992
Suga et al.	5,184,148	02/02/1993
Lin	5,281,261	01/25/1994
Kasindorf et al.	5,282,017	01/25/1994
Schlagheck	5,294,198	03/15/1994
Zander	5,296,887	03/22/1994
Stein	5,308,161	05/03/1994
Tow	5,315,098	05/24/1994
Fisun et al.	5,401,960	03/28/1995
Wadman	5,460,451	10/24/1995
Talvalkar et al.	5,568,177	10/22/1996
Belmont et al.	5,571,311	11/05/1996
Tanaka et al.	5,582,103	12/10/1996
Stein	5,597,237	01/28/1997
Obata et al.	5,597,997	01/28/1997
Sugifune et al.	5,648,650	07/15/1997
Yasui	5,701,538	12/23/1997
Stein	5,704,712	01/06/1998
Kimijima et al.	5,709,918	01/20/1998
Tanaka et al.	5,814,806	09/29/1998
Berson	5,861,618	01/19/1999

US Patent Documents

Fujiyama et al.	5,906,678	05/25/1999
Vachtsevanos et al.	5,963,662	10/05/1999
Meng et al.	6,001,510	12/14/1999
Smith et al.	6,025,926	02/15/2000
Berson et al.	6,039,257	03/21/2000
Bates et al.	6,069,190	05/30/2000
Hollander et al.	6,095,682	08/01/2000
Feng	6,123,263	09/26/2000
Urano et al.	6,168,081	01/02/2001
Kirkham et al.	6,191,851	02/20/2001
Outwater et al.	6,203,069	03/20/2001
Outwater et al.	6,274,873	08/14/2001
Pastrick et al.	6,280,069	08/28/2001
Shalom et al.	6,299,346	10/09/2001
Brogger et al.	6,309,690	10/30/2001
Outwater et al.	6,354,501	03/12/2002
Cariffe	6,561,422	05/13/2003
Shchegolik et al.	6,610,351	08/26/2003
Outwater	6,612,494	09/02/2003
Meyerson et al	6,669,093	12/30/2003

Other Documents

Chavez, Cesar, "Application Note Radiometric Temperature: Concepts and Solutions," Santa Barbara Infrared, Inc., 30 South Calle, Suite D, Santa Barbara, CA, www.SBIR.com

Fraser III, John A., "The use of Encrypted, Coded and Secret Communications is an Ancient Liberty Protected by the United States Constitution," Virginia Journal of Law and Technology, University of Virginia, Volume 2, Fall 1997

Roeser and Weasel, "Handbook of Chemistry and Physics," Chemical Rubber Company, 49th Edition, 1968, pages, E-228 and F-76

Shulman, David, "An Annotated Bibliography of Cryptography," pp. 6-13

Other Documents

"Thermoelectric Module System Design," INB Products, Inc., <http://www.inbthermoelectric.com/thermo.html>, Erwin St., Van Nuys, CA, 91411, (printed 7/12/04), pp. 1

"Thermoelectric Module System Design," INB Products, Inc., <http://www.inbthermoelectric.com/design.html>, Erwin St., Van Nuys, CA, 91411, (printed 7/12/04), pp. 1-3

"Thermopile Module Low Cost Non Contact Temperature Measurement Technical Data," (Webpage), www.bnbopto.co.kr/sensors/tps/techincaldata1.htm, (printed 10/6/04), pp. 1-9

"Understanding Thermopile Infrared Sensors" (Webpage), B+B Corporation South Korea, copyright 2000, www.bnbopto.co.kr/sensors/typs/typs_infor.htm (printed 7/12/04), pp. 1-5

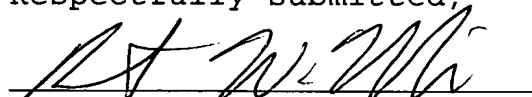
Wilkins, John, "Mercury, or the Secret and Swift Messenger," Chapter V, pp. 37-41

The aforementioned documents are listed on the accompanying Form PTO/SB/08 (submitted in duplicate). Pursuant to 37 C.F.R. 1.98 copies of each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications, are enclosed herewith. It is respectfully requested that these references be: (1) fully consider by the Patent and Trademark Office during examination of this application; and (2) printed on any patent that may issue on this application. Applicant requests that a copy of Form PTO/SB/08, as considered and initialed by the Examiner, be returned with the next communication in accordance with MPEP §§ 609 and 2001.06(b).

Express Mail No.: EV270263260US

Consideration of the foregoing in relation to
this patent application is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'R. W. Morris', is written over a horizontal line.

Robert W. Morris

Registration No. 36,613

Attorney for Applicant

FISH & NEAVE LLP

Customer No. 1473

1251 Avenue of the Americas

New York, New York 10020

Tel.: (212) 596-9000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant Number	10/824,975
Filing Date	April 14, 2004
First Named Inventor	William Berson
Art Unit	3722
Examiner Name	Monica S. Carter
Attorney Docket Number	BER-002
Confirmation Number	7527

Use as many sheets as necessary)

Sheet 1 of 4

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		3,239,815	03/08/1966	Martens	
		3,245,697	04/12/1966	Nugent	
		3,468,046	09/23/1969	Makishima	
		3,455,577	07/15/1969	Kikumoto	
		3,477,156	11/11/1969	Naito	
		3,536,894	10/27/1970	Travioli	
		3,621,249	11/16/1971	Kikumoto	
		3,640,009	02/08/1972	Komiyama	
		3,802,101	04/09/1974	Scantlin	
		3,829,662	08/13/1974	Furahashi	
		3,919,447	11/11/1975	Kilmer Jr. et al.	
		4,044,231	08/23/1977	Beck et al.	
		4,210,916	07/01/1980	Mansukhani	
		4,264,366	04/28/1981	Peng	
		4,359,633	11/16/1982	Bianco	
		4,417,822	11/29/1983	Stein et al.	
		4,521,861	06/04/1985	Logan et al.	
		4,529,633	07/16/1985	Karlsson	
		4,530,961	07/23/1985	Nguyen et al.	
		4,647,774	03/03/1987	Brisk et al.	
		4,647,775	03/03/1987	Stein	
		4,708,493	11/24/1987	Stein	
		4,840,496	06/20/1989	Elleman et al.	
		4,840,674	06/20/1989	Schwarz	
		4,889,367	12/26/1989	Miller	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 4

Applicant Number	10/824,975
Filing Date	April 14, 2004
First Named Inventor	William Berson
Art Unit	3722
Examiner Name	Monica S. Carter
Attorney Docket Number	BER-002
Confirmation Number	7527

		4,910,185	03/20/1990	Stake et al.	
		4,919,542	04/24/1990	Nulman et al.	
		5,155,080	10/13/1992	Elder et al.	
		5,166,080	11/24/1992	Schietinger et al.	
		5,184,148	02/02/1993	Suga et al.	
		5,281,261	01/25/1994	Lin	
		5,282,017	01/25/1994	Kasindorf et al.	
		5,294,198	03/15/1994	Schlagheck	
		5,296,887	03/22/1994	Zander	
		5,308,161	05/03/1994	Stein	
		5,315,098	05/24/1994	Tow	
		5,401,960	03/28/1995	Fisun et al.	
		5,460,451	10/24/1995	Wadman	
		5,568,177	10/22/1996	Talvalkar et al.	
		5,571,311	11/05/1996	Belmont et al.	
		5,582,103	12/10/1996	Tanaka et al.	
		5,597,237	01/28/1997	Stein	
		5,597,997	01/28/1997	Obata et al.	
		5,648,650	07/15/1997	Sugifune et al.	
		5,701,538	12/23/1997	Yasui	
		5,704,712	01/06/1998	Stein	
		5,709,918	01/20/1998	Kimijima et al.	
		5,814,806	09/29/1998	Tanaka et al.	
		5,861,618	01/19/1999	Berson	
		5,906,678	05/25/1999	Fujiyama et al.	
		5,963,662	10/05/1999	Vachtsevanos et al.	
		6,001,510	12/14/1999	Meng et al.	
		6,025,926	02/15/2000	Smith et al.	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3 of 4

Applicant Number	10/824,975
Filing Date	April 14, 2004
First Named Inventor	William Berson
Art Unit	3722
Examiner Name	Monica S. Carter
Attorney Docket Number	BER-002
Confirmation Number	7527

		6,039,257	03/21/2000	Berson et al.	
		6,069,190	05/30/2000	Bates et al.	
		6,095,682	08/01/2000	Hollander et al.	
		6,123,263	09/26/2000	Feng	
		6,168,081	01/02/2001	Urano et al.	
		6,191,851	02/20/2001	Kirkham et al.	
		6,203,069	03/20/2001	Outwater et al.	
		6,274,873	08/14/2001	Outwater et al.	
		6,280,069	08/28/2001	Pastrick et al.	
		6,299,346	10/09/2001	Shalom et al.	
		6,309,690	10/30/2001	Brogger et al.	
		6,354,501	03/12/2002	Outwater et al.	
		6,561,422	05/13/2003	Cariffe	
		6,610,351	08/26/2003	Shchegolik et al.	
		6,612,494	09/02/2003	Outwater	
		6,669,093	12/30/2003	Meyerson et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CHAVEZ, CESAR, "Application Note Radiometric Temperature: Concepts and Solutions," Santa Barbara Infrared, Inc., 30 South Calle, Suite D, Santa Barbara, CA, www.SBIR.com	

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 4 of 4

Applicant Number	10/824,975
Filing Date	April 14, 2004
First Named Inventor	William Berson
Art Unit	3722
Examiner Name	Monica S. Carter
Attorney Docket Number	BER-002
Confirmation Number	7527

		FRASER III, JOHN A., "The use of Encrypted, Coded and Secret Communications is an Ancient Liberty Protected by the United States Constitution," Virginia Journal of Law and Technology, University of Virginia, Volume 2, Fall 1997
		Roeser and Weasel, "Handbook of Chemistry and Physics," Chemical Rubber Company, 49 th Edition, 1968, pages, E-228 and F-76
		SHULMAN, DAVID, "An Annotated Bibliography of Cryptography," pp. 6-13
		"Thermoelectric Module System Design," INB Products, Inc., http://www.inbthermoelectric.com/thermo.html , Erwin St., Van Nuys, CA, 91411, (printed 7/12/04), pp. 1
		"Thermoelectric Module System Design," INB Products, Inc., http://www.inbthermoelectric.com/design.html , Erwin St., Van Nuys, CA, 91411, (printed 7/12/04), pp. 1-3
		"Thermopile Module Low Cost Non Contact Temperature Measurement Technical Data," (Webpage), www.bnbopto.co.kr/sensors/tps/techincaldata1.htm , (printed 10/6/04), pp. 1-9
		"Understanding Thermopile Infrared Sensors" (Webpage), B+B Corporation South Korea, copyright 2000, www.bnbopto.co.kr/sensors/tps/tps_infor.htm (printed 7/12/04), pp. 1-5
		WILKINS, JOHN, "Mercury, or the Secret and Swift Messenger," Chapter V, pp. 37-41

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.